

**REAL ESTATE BOARD
MINUTES
MADISON, WISCONSIN
MARCH 25, 1999**

PRESENT: James R. Imhoff, Richard Hinsman, Bettye Lawrence, Harold Lee, Jerome Nelson, and Nancy Gerrard(by telephone)

EXCUSED: Richard Kollmansberger

STAFF PRESENT: Cletus Hansen, Jan Neitzel; Don Rittel and Division of Enforcement staff were present for portions of the meeting.

GUESTS: Rick Staff, WRA

CALL TO ORDER

The meeting was called to order at 10:25 a.m. by Jim Imhoff, Chair, upon confirmation that the public notice was timely given. A quorum of 6 members was present.

AGENDA

MOTION: Harold Lee moved, seconded by Richard Hinsman, to adopt the agenda as amended. Motion carried unanimously.

MINUTES (2/25/99)

MOTION: Harold Lee moved, seconded by Jerome Nelson, to approve the minutes as written. Motion carried unanimously.

ADMINISTRATIVE REPORT

Secretary Cummings' Report

Nothing to report.

Division Administrator's Report

The Board received a copy of the statistics relating to cases screened by the Real Estate Screening Panel on 2/25/99.

The Board requested that Richard Hinsman and Jim Imhoff meet the evening before the June 24, 1999, meeting to review old pending complaints.

LEGISLATIVE UPDATE

Biennial Budget Bill

The Board discussed Bill Dusso's February 22, 1999, memo relating to the Budget Bill statutory language changes that directly affect the Department.

Highlights of the Budget Bill affecting the real estate profession were discussed, including license renewal and fees.

Home Ownership Counseling Certification Program

The Board discussed Senator Gwendolynne Moore's proposal relating to the creation of the certification of home ownership counseling.

ADMINISTRATIVE RULES

RL 12 and RL 25 re: Education Requirements

A hearing was held regarding the proposed administrative rules relating to prelicense education and continuing education programs and courses for real estate brokers and salespersons.

The Board received a copy of the Clearinghouse Report on Rule 99-036.

Testimony was presented by Rick Staff in support of the rule.

Written comments will be considered until 4/8/99.

Issues for Future Rulemaking

Full-Time Branch Office Manager

The Board discussed the full-time Branch Office Manager requirement and how "full time" relates to supervising branch offices and principal offices.

The Board discussed the meaning of "responsibility for the licensed activity of agents." Rick Staff, Don Rittel and James Imhoff will discuss this issue for clarification at the next Board Meeting.

The Board discussed RL 17.10(d) relating to the site of employment and temporary absence of a branch office manager. A letter stating policy will be issued for the next Digest publication.

Disclosure of Licensed Status

The Board discussed issues relating to the disclosure of agency.

Rick Staff requested that s. RL 25.05(5) be revised to require disclosure of license status at the same time that buyer's agents are required to disclose their agency under s. RL 24.07(8)(a)2.

MOTION: Richard Hinsman moved, seconded by Jerome Nelson, that disclosure of principal and buyer's agents must be disclosed prior to receiving confidential information. Motion carried unanimously.

The Board discussed s. RL 24.13(3)(b) and the impact of bump clauses. The Board discussed the meaning of "pending offer." Don Rittel and Rick Staff will discuss these issues and report at the June 24, 1999, meeting.

RECIPROCITY OF LICENSURE

The Board discussed the proposed reciprocal agreement between Wisconsin and Illinois.

Clete Hansen distributed a copy of a message from Norm Willoughby re: Illinois and Wisconsin reciprocity.

The Board discussed the amount of education required of out-of-state licensees applying in Wisconsin and the difficulty it poses for reciprocity to be achieved.

MISCELLANEOUS CORRESPONDENCE

Jack Temby provided a copy of "Data on the Handling of Complaints Involving the Wisconsin Real Estate Board." The data covered the years 1978-1998. Mr. Temby explained the statistics and answered questions.

NEW BUSINESS

None.

PUBLIC COMMENT

None.

RECESS TO CLOSED SESSION

MOTION: Jerome Nelson moved, seconded by Richard Hinsman, to convene the meeting in Closed Session pursuant to Sections 19.85(1)(a), (b), and (f), Wis. Stats., to consider the licensing or discipline of a person licensed by the Department or the investigation of charges against such a person. Specifically, to discuss the issue of case status reports, case closings, administrative warnings, reconsideration of a case closing, stipulations, assessment of costs, deliberations on stipulations that may be signed after printing of the agenda, and disciplinary proceedings. Motion carried unanimously by a roll call vote: Richard Hinsman-yes; Bettye J. Lawrence-yes; Harold Lee-yes; Jerome M. Nelson-yes; Nancy Gerrard-yes(telephone); James R. Imhoff-yes.

Open Session recessed at 11:40 a.m.

The Board received a copy of the Division of Enforcement Case Status Report. Noted.

The Board deliberated on case closings, stipulations and monitoring issues.

Final voting on these issues was conducted in Open Session.

RECONVENE IN OPEN SESSION

MOTION: Richard Hinsman moved, seconded by Harold Lee, to adjourn the Closed Session and to reconvene in Open Session at 11:53 a.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

CASE CLOSINGS

MOTION: Harold Lee moved, seconded by Richard Hinsman to close the following 67 cases presented by the Division of Enforcement for closing. Motion carried unanimously.

97 REB 026	Knecht Realty, Inc, Elmer Knecht, Thomas Knecht
97 REB 048	Mary Prien, Marshall Zwuygart
97 REB 133	Leonard Bacon, Bacon Realty LLC
97 REB 160	Thomas Nall, Beverly Johansen Rountree Realty, Inc., Emma Probst
97 REB 282	Linda Stearns, Stearns & Thornberg Real Estate
96 REB 012	NSP Inc., Richard Paulov, Eleanor Nastepniak, James Schavet
97 REB 096	Peppertree Realty, Inc., Vicki Merrell, James Wiley, Paul Dioguardi
97 REB 256	Hallmark Group, Ltd, Thomas Dalebroux, Nancy McGuire
97 REB 134	Lester Smet, Shawn Hill, Kenneth Hill
97 REB 014	Dennis Vlach, Realty 100, Inc., Bruce Martin
97 REB 015	Zana Darrow, Gold Award Homes, Harvey Simmons
97 REB 317	Daniel Demmerly, Alan Bauman
98 REB 013	Sharon Phillips, Gold Award Homes, Harvey Simmons, Penny Tock
96 REB 056	Douglas Ferris
96 REB 167	Chester Boncler, Jr. Boncler Inc., Jim Goetti
96 REB 273	Carol Alioto, Calumet Realty & Investment
97 REB 164	Keith Gonnering, Gonnering Auction & Real Estate
97 REB 251	Ronald Wenetz, Bill Yoder & Assoc, Inc.
97 REB 252	William Thomas, William Berland, Homestead Relaty, Inc.
96 REB 165	Raymond Yunker, Yunker Real Estate
96 REB 329	Michael Yunker, Stark RE Co, Stark, Hetzer
96 REB 237	Cynthia McDougal, Wauwatosa Realty
97 REB 051	William Kratzke
97 REB 320	Douglas Sonntag, Ronald Hagstrom, Ronald Hagstrom RE

98 REB 016	Lauara Bara, EZ Duzzit, Inc., Linda Lasko
98 REB 321	Ramona Prill, EZ Duzzit, Inc, Linda Lasko
98 REB 111	Gerhard Olson, G. Olson
97 REB 056	Powlosky, Adashun Jones, Inc., Adashun, Jones
97 REB 119	Dettmann, Didier
97 REB 078	Burke, DeBurgo Realty, Inc.
97 REB 213	Anderson, Elite Realty, Inc.
97 REB 085	Susan Dakins, Kings Way Realty, Inc., William Baesemann
97 REB 145	Richard Ronne
98 REB 315	JE Nembhard Wilson
98 REB 359	James Heydon, IWS, Inc.
98 REB 165	Randall Schmit, Gene Schmit
97 REB 301	Mel Blowers, JSM & Assoc., Inc. William Wermuth
97 REB 036	“ “ “ “ “ “ “
98 REB 130	Harold Bergeron, Bernard Realty Co, Michael Benrud
97 REB 267	James Casler, M & C Inc. of Spooner
98 REB 167	Dwight Mosby & Mosby Realty Inc.
98 REB 166	W. Mosby
96 REB 262	Gregory Scherer
98 REB 026	Alan Lamers & Lamers Realty Inc.
98 REB 087	Thomas Kopatich, Rand Woilf, Mark Brickman, Polacheck Co., Inc
98 REB 209	William Greenwood
98 REB 143	Tina Marshall & Alan Marshall
98 REB 082	Michael Browne, Browne Realty, Corp, Murl Browne & David Shaner
98 REB 118	Thomas & Dawn Reif, The Gold Team, Inc. Reif Realty & Assoc.
97 REB 217	George Falk
97 REB 140	Joan French, The Gold Team Inc, Thomas Reif
96 REB 216	Myron Herman, Bear Realty of Kenosha, Inc.
98 REB 225	Carly Carlson, Carlson Evergreen Agency
97 REB 299	Frank Ruffalo, 1 st Month Realty
98 REB 175	Chester Hawkins, Chester Hawkins Realty
97 REB 152	James Nolan, Timothy Nolan
96 REB 014	Patti Weske, Wauwatosa Realty Co.
96 REB 257	William Beckman
97 REB 150	Pat Brown, Affordable Management, Inc.
98 REB 187	Myron Herman, Bear Realty Co, Stephen Mills, Vern Krause
98 REB 032	Debra Romdenne, C-21 Gilson
97 REB 208	Mary Klarkowski
95 REB 332	Dale Swan
95 REB 225	Francis J. Feider
95 REB 162	James Stone, Margaret Krohn, Gary Worden, and Triangle Resources, Ltd.
98 REB 226	Nancy J. Counters, Charles I. Rushman, Wisconsin Preferred Homes
98 REB 188	Ruth Walton, James Zanton, Mel Blowers, and Blowers & Associates

STIPULATIONS

Stephen J. Drunasky (Beaver Dam WI)

MOTION: Bettye Lawrence moved, seconded by Nancy Gerrard, to accept the Stipulation, Findings of Fact, and Conclusions of Law and Order in the disciplinary matter involving **Stephen J. Drunasky**. Motion carried unanimously.

Burnet Realty, Inc. (Hudson WI); Tobin A. Saburo (St. Paul MN)

MOTION: Bettye Lawrence moved, seconded by Harold Lee, to accept the Stipulation, Findings of Fact, and Conclusions of Law and Order in the disciplinary matter involving **Burnet Realty, Inc.** and **Tobin A. Saburo**. Motion carried unanimously.

Harry W. Baker (Crivitz WI)

MOTION: Richard Hinsman moved, seconded by Harold Lee, to accept the Stipulation, Findings of Fact, and Conclusions of Law and Order in the disciplinary matter involving **Harry W. Baker**. Motion carried unanimously.

Mark W. Schultz (Spooner WI)

MOTION: Jerome Nelson moved, seconded by Richard Hinsman, to accept the Stipulation, Findings of Fact, and Conclusions of Law and Order in the disciplinary matter involving **Mark W. Schultz**. Motion carried unanimously.

Kevin R. Woldt (Brookfield WI)

MOTION: Jerome Nelson moved, seconded by Harold Lee, to accept the Stipulation, Findings of Fact, and Conclusions of Law and Order in the disciplinary matter involving **Kevin R. Woldt**. Motion carried unanimously.

Tom K. Nielsen (Hudson WI)

MOTION: Richard Hinsman moved, seconded by Bettye Lawrence, to accept the Stipulation, Findings of Fact, and Conclusions of Law and Order in the disciplinary matter involving **Tom K. Nielsen**. Motion carried unanimously.

MONITORING REPORT

Arlene Jensen (Mahtomedi MN)

MOTION: Bettye Lawrence moved, seconded by Jerome Nelson, to reinstate her license. Motion carried unanimously.

Thomas Werth (Appleton WI)

MOTION: Richard Hinsman moved, seconded by Harold Lee, to reinstate his license. Motion carried unanimously.

Stuart Shepherd (Trego, WI)

MOTION: Richard Hinsman moved, Harold Lee seconded, to reinstate his full license. Motion carried unanimously.

Joyce Anderson (Monroe WI)

MOTION: Jerome Nelson moved, seconded by Harold Lee, to grant Joyce Anderson a 3-month extension on payment of her fine. Motion carried unanimously.

Brett Vreeke

Michelle Neverman will send a letter to Brett Vreeke advising him to enroll in another treatment facility.

ADJOURNMENT

MOTION: Richard Ninsman moved, seconded by Nancy Gerrard, to adjourn the meeting. Motion carried unanimously.

Meeting adjourned at 12:15 p.m.